

FILED
 Clerk's Office
 USDC, Mass.
 Date 5-17-05
 By mr
 Deputy Clerk

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MASSACHUSETTS

United States of America,)	
)	
)	
)	C.A. No. 03-10344-DPW
)	
v.)	
)	
Bruce Gordon Hill,)	
)	
Defendant.)	

**MOTION TO QUASH TRIAL SUBPOENA SERVED ON
THOMAS C. FRONGILLO, ESQ.**

Yesterday, on May 16, 2003 at 3 p.m., counsel for Defendant Bruce Gordon Hill ("Mr. Hill") served a subpoena (the "Subpoena") on Thomas C. Frongillo, Esq., counsel for a trial witness, Chan Hong Saik ("Mr. Chan"), commanding attendance at trial today, May 17, by Attorney Frongillo at trial and production today of Attorney Frongillo's entire file regarding his representation of his client. Attorney Frongillo's client testified yesterday, on May 16, 2005. The Subpoena is quite broad, as it seeks, without restriction,

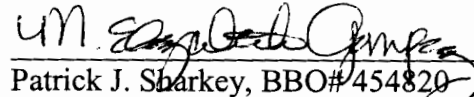
"[a]ny and all files relating to Chan Hong Saik, including all correspondence with Government attorneys, including but not limited to attorneys for the SEC and the U.S. Attorneys Office."

See Exhibit A, Subpoena dated May 16, 2005.

Attorney Frongillo will produce, as requested, "all correspondence with the Government attorneys, including but not limited to attorneys for the SEC and U.S. Attorneys Office" regarding his representation of his client in this matter. With respect to "files relating to Chang Hong Saik", however, Attorney Frongillo will produce all files,

and documents within such files, only to the extent that responsive documents are not subject to the attorney-client privilege or not protected by the work-product doctrine. Attorney Frongillo respectfully requests that the Court quash the Subpoena with respect to documents and communications protected by the attorney-client privilege and the work-product doctrine. In support of this Motion, Attorney Frongillo submits the accompanying Memorandum.

MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO, P.C.



Patrick J. Sharkey, BBO# 454820
M. Elizabeth Gomperz, BBO# 651115
MINTZ LEVIN COHN FERRIS
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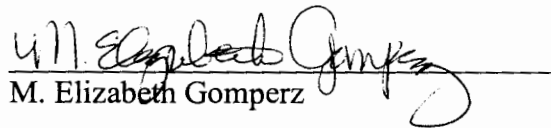
Dated: May 17, 2005.

CERTIFICATE OF SERVICE

I, M. Elizabeth Gomperz, served a copy of the foregoing on counsel of record, by hand, on this day, the 17th of May, 2005.

Richard M. Egbert, Esq.
99 Summer Street
Suite 1800
Boston, MA 02110

Paul G. Levenson, Esq.
Assistant U.S. Attorney
U.S. Attorney's Office
One Courthouse Way
Suite 9200
Boston, MA 02210


M. Elizabeth Gomperz

05/16/2005 14:36 FAX 6177378223

RICHARD EGBERT

003/003

AO89 (Rev. 7/95) Subpoena in a Criminal Case

UNITED STATES DISTRICT COURT

DISTRICT OF Massachusetts

United States of America

V.

Bruce Gordon Hill

SUBPOENA IN A
CRIMINAL CASE

Case Number: 03-10344-DPW

TO:

Thomas C. Frongillo, Esq.
Mintz, Levin, Cohen
1 Financial Center
Boston, MA 02111

- ☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent place, date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

John Joseph Moakley United States Courthouse
One Courthouse Way
Boston, MA 02110

COURTROOM

1, 3rd Floor

DATE AND TIME

9:00 am 5/17/05

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Any and all files relating to Chan Hong Saik, including all correspondence with the Government attorneys, including but not limited to attorneys for the SEC and U.S. Attorneys Office.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Richard M. Egbert, 99 Summer Street, Suite 1800, Boston, MA
02110 (617) 737-8222